

MICHAEL C. HETHEY, ESQ.
Nevada Bar No. 5668
HAROLD J. ROSENTHAL, ESQ.
Nevada Bar No. 10208
THORNDAL ARMSTRONG DELK
BALKENBUSH & EISINGER
1100 East Bridger Avenue
Las Vegas, NV 89101-5315
Tel.: (702) 366-0622
Fax: (702) 366-0327
mch@thorndal.com
hjr@thorndal.com

Attorneys for Defendants
GILTNER TRANSPORTATION, INC.;
GILTNER LOGISTICS SERVICES INC.;
and GILTNER, INC.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

VICTORIANO RAMOS; THERESA RAMOS,
Plaintiffs,

vs.

GILTNER TRANSPORTATION, INC.;
GILTNER LOGISTICS SERVICES INC.;
GILTNER, INC.; PROGRESSIVE
LOGISTICS, INC.; GARY ROBERT NAIR;
DOES 1-200; and ROES 201-300,
Defendants.

CASE NO. 2:21-cv-01446-RFB-BNW

**STIPULATION AND ORDER FOR
FRCP RULE 35 EXAMINATION OF
PLAINTIFF VICTORIANO RAMOS**

**STIPULATION AND ORDER FOR FRCP RULE 35 EXAMINATION OF PLAINTIFF
VICTORIANO RAMOS**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs
VICTORIANO RAMOS and THERESA RAMOS and Defendants GILTNER
TRANSPORTATION, INC.; GILTNER LOGISTICS SERVICES INC.; and GILTNER, INC.,
by and through their respective undersigned counsel of record, that the Plaintiff VICTORIANO
RAMOS is willing to undergo a FRCP Rule 35 Examination with the agreed-upon medical
physicians and the stipulated conditions set forth below:

///

1 1. The Rule 35 Examination will be conducted by Dr. Thomas Kinsora and an
2 assistant who speaks Spanish who will translate and assist in the Rule 35 examination process.

3 2. The Rule 35 Examination will take place on June 19, 2022, at the Hyatt
4 Regency located at 6225 West Century Boulevard, Los Angeles, California 90045.

5 3. The Rule 35 Examination will be conducted between 9:00am and 6:00pm with a
6 break for lunch and other short comfort breaks during the day as needed by the Plaintiff.

7 4. Dr. Kinsora will provide the intake forms to Plaintiffs' Counsel and they need to
8 be completely filled out and returned two weeks prior to the Rule 35 examination.

9 5. The day will begin with an interview that should last approximately 90 minutes
10 and this portion may be audio recorded by the Plaintiff if he so desires. No outside observers
11 can be present and the testing portion of the examination following the interview cannot be
12 audio recorded in any manner.

13 6. The testing portion of the Rule 35 examination will consist of various testing
14 batteries that are commonly accepted in the medical and scientific communities and will
15 depend upon the cognitive abilities of Plaintiff VICTORIANO RAMOS and the results of the
16 interview on the day of the Rule 35 examination.

17 7. Following the Rule 35 examination, Dr. Kinsora will share the raw testing data
18 directly with a Neuropsychologist retained by Plaintiffs, but this raw testing data is not to be
19 shared with other parties.

20 8. Following the Rule 35 examination, Dr. Kinsora will prepare a written report of
21 his findings and opinions and this report will be provided to the parties within 30 days.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

9. Dr. Kinsora shall not ask any liability questions regarding the subject accident.

IT IS SO STIPULATED.

DATED this 5th day of May 2022.

DORDICK LAW CORPORATION

/s/ Gary A. Dordick, Esq.

Elizbeth A. Hernandez, Esq. (*Pro Hac Vice*)
California Bar No. 204322
Gary A. Dordick, Esq. (*Pro Hac Vice*)
California Bar No. 128008
509 South Beverly Drive
Beverly Hills, CA 90212
Attorneys for Plaintiffs
VICTORIANO RAMOS and THERESA RAMOS

DATED this 5th day of May 2022.

LAW OFFICE OF PETER GOLDSTEIN

/s/ Peter Goldstein, Esq.

Peter Goldstein, Esq.
Nevada Bar No. 6992
10161 Park Run Drive, Suite 150
Las Vegas, Nevada 89145
Attorney for Plaintiffs
VICTORIANO RAMOS and THERESA RAMOS

DATED this 5th day of May 2022.

THORNDAL ARMSTRONG DELK
BALKENBUSH & EISINGER

/s/ Michael C. Hetey, Esq.

Michael C. Hetey, Esq.
Nevada Bar No. 5668
Harold J. Rosenthal, Esq.
Nevada Bar No. 10208
1100 E. Bridger Avenue
Las Vegas, NV 89125-2070
Attorneys for Defendants
GILTNER TRANSPORTATION, INC.;
GILTNER LOGISTICS SERVICES INC.;
and GILTNER, INC

ORDER

Plaintiff VICTORIANO RAMOS will appear for a FRCP Rule 35 Examination with Dr. Thomas Kinsora pursuant to the stipulated conditions listed above.

IT IS SO ORDERED.

DATED: May 9, 2022.



UNITED STATES MAGISTRATE JUDGE